



Planning Technical Advisory Committee Meeting (PTAC)

REGULAR MEETING AGENDA

**January 21, 2004
10:00 a.m.**

**South Florida Regional Transportation Authority
Board Room
800 NW 33rd Street, Suite 100
Pompano Beach, Florida 33064
*www.tri-rail.com***

PTAC MEETINGS ARE SCHEDULED BI-MONTHLY ON THE THIRD WEDNESDAY AT 10:00 A.M. FOR FURTHER INFORMATION CALL ELLA GILBERT AT (954) 788-7900. TIME OF MEETING IS SUBJECT TO CHANGE.

Members

**Michael Williams, SFRTA
Jose Mesa, Miami-Dade MPO
Jennifer Schaufele, Broward MPO
Randy Whitfield, Palm Beach MPO
Miami-Dade Transit
Michael Ronskavitz, BCT
Fred Stubbs, Palm Tran
Gustavo Schmidt, FDOT, District IV
Nancy Ziegler, FDOT, District IV
Gary Donn, FDOT, District VI
Carolyn Dekle, SFRPC
Michael Busha, TCRPC**

Directions to SFRTA: I-95 to Copans Road. Go west on Copans to North Andrews Avenue Ext. and turn right. Go straight to Center Port Circle, which is NW 33rd Street, and turn right. SFRTA's offices are in the building to the right. The SFRTA offices are also accessible by taking the train to the Pompano Beach Station. The SFRTA building is South of the station. Parking is available across the street from SFRTA's offices, at the Pompano Beach Station.

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC) MEETING
OF JANUARY 21, 2004

The meeting will convene at 10:00 a.m., and will be held in the Board Room of the South Florida Regional Transportation Authority, Administrative Offices, 800 NW 33rd Street, Suite 100, Pompano Beach, FL 33064.

CALL TO ORDER

AGENDA APPROVAL – Additions, Deletions, Revisions

MATTERS BY THE PUBLIC – Persons wishing to address the Committee are requested to complete an “Appearance Card” and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

CONSENT AGENDA
Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion in the form listed below. If discussion is desired by any PTAC Member, however, that item may be removed from the Consent Agenda and considered separately.

REGULAR AGENDA
Those matters included under the Regular Agenda differ from the Consent Agenda and that items will be voted on individually. In addition, presentations will be made on each motion, if so desired.

R1. – **MOTION TO APPROVE:** Election of the Planning Technical Advisory Committee Officers

R2. – **MOTION TO APPROVE:** Proposed 2004 Planning Technical Advisory Committee Meeting Schedule

INFORMATION / PRESENTATION ITEMS
Action not required, provided for information purposes only.

- I1. – **INFORMATION:** South Florida Regional Transportation Authority Legislation
- I2. – **INFORMATION:** Planning Technical Advisory Committee Purpose and Scope
- I3. – **INFORMATION:** South Florida Regional Transportation Authority Advisory Committees By-Laws
- I4. – **INFORMATION:** Regional Long Range Transportation Plan Update

MONTHLY REPORTS
Action not required, provided for information purposes only.

OTHER BUSINESS

SFRTA EXECUTIVE DIRECTOR REPORTS/COMMENTS

PTAC MEMBER COMMENTS

ADJOURNMENT

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to the Executive Office at 800 NW 33rd Street, Suite 100, Pompano Beach, Florida, or telephone (954) 942-RAIL (7245) for assistance; if hearing impaired, telephone (800) 273-7545 (TTY) for assistance.

Any person who decides to appeal any decision made by the Board of Directors for the South Florida Regional Transportation with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons wishing to address the Board are requested to complete an "Appearance Card" and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)
MEETING: JANUARY 21, 2004

AGENDA ITEM REPORT

☐ Consent ☒ Regular ☐ Public Hearing

ELECTION OF THE PLANNING TECHNICAL ADVISORY
COMMITTEE OFFICERS

REQUESTED ACTION:

MOTION TO APPROVE: Election of the Planning and Technical Advisory Committee Officers.

SUMMARY EXPLANATION AND BACKGROUND:

At the October 2003 South Florida Regional Transportation Authority (SFRTA) Board Meeting, the Board approved the formation of the PTAC with the condition of the committee electing its own chair and the SFRTA Representative serving as the standing Vice Chair unless voted as Chair.

In accordance with the SFRTA By-Laws, the PTAC will hold election of chairperson (Chair) and vice-chairperson (Vice Chair) at its initial meeting to serve until the end of the fiscal year. At the end of the fiscal year and each fiscal year thereafter, the Committee shall elect a new Chair and Vice Chair and each shall serve for a one (1) year term. Such election shall occur at either the last regularly scheduled meeting of the Board prior to the end of the Chair and Vice Chair's term or at a meeting called for that purpose.

Agency: South Florida Regional Transportation Authority
Project Manager: Ella Gilbert
Chair:

FISCAL IMPACT: N/A

EXHIBITS ATTACHED: N/A

ELECTION OF THE PLANNING TECHNICAL ADVISORY
COMMITTEE OFFICERS

Agency:

William 1/14/04
South Florida Regional Date
Transportation Authority

Project Manager:

Ella Gilbert 1/14/04
Ella Gilbert Date

Chair:

Date

PTAC Action:

Approved: _____ Yes _____ No

Vote: _____ Unanimous

Amended Motion:

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)
MEETING: JANUARY 21, 2004

AGENDA ITEM REPORT

☐ Consent ☒ Regular ☐ Public Hearing

PROPOSED 2004 PLANNING TECHNICAL ADVISORY COMMITTEE
MEETING SCHEDULE

REQUESTED ACTION:

MOTION TO APPROVE: Proposed 2004 Meeting Schedule of Planning Technical Advisory Committee.

SUMMARY EXPLANATION AND BACKGROUND:

At the October 2003 SFRTA Board Meeting, the Board approved the formation of a Planning Technical Advisory Committee (PTAC) to provide technical recommendations to the Board through the Executive Director on land-use and regional transportation planning issues. As approved by the Board, the PTAC is scheduled to meet bi-monthly.

Staff has drafted a proposed meeting schedule to accommodate bi-monthly meetings and seeks approval of the meeting schedule by the Chair.

Agency: South Florida Regional Transportation Authority
Project Manager: Ella Gilbert
Chair:

FISCAL IMPACT: N/A

EXHIBITS ATTACHED: Exhibit 1 – Proposed 2004 PTAC Meeting Schedule

PROPOSED 2004 PLANNING TECHNICAL ADVISORY COMMITTEE
MEETING SCHEDULE

Agency: Willame 1/14/04
South Florida Regional Date
Transportation Authority

Project Manager: Ella Gilbert 1/14/04
Ella Gilbert Date

Chair: _____
Date

PTAC Action: .

Approved: _____ Yes _____ No

Vote: _____ Unanimous

Amended Motion:



PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)

PROPOSED 2004 MEETING SCHEDULE

January 21 st , 2004 <i>Agenda Items due – Jan 8</i>	-	10:00 am
March 17, 2004 <i>Agenda Items due – Mar 3</i>	-	10:00 am
May 19 th , 2004 <i>Agenda Items due – May 5</i>	-	10:00 am
July 21 st , 2004 <i>Agenda Items due – July 7</i>	-	10:00 am
September 22 nd , 2004 <i>Agenda Items due – Sept 8</i>	-	10:00 am
November 17 th , 2004 <i>Agenda Items due – Nov 3</i>	-	10:00 am

All meetings are open to the public and are held at SFRTA's Administrative Offices. If any information is needed, please contact Ella Gilbert @ (954) 788-7900.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)
MEETING: JANUARY 21, 2004

AGENDA ITEM REPORT

☒ Information Item ☐ Presentation

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
LEGISLATION

SUMMARY EXPLANATION AND BACKGROUND:

On July 1st, 2003, the Tri-County Commuter Rail Authority (Tri-Rail) was merged into the newly formed South Florida Regional Transportation Authority (SFRTA). The SFRTA will begin the work of creating a seamless, multimodal mass transit system consistent with land use decision. The SFRTA has the powers to plan and operate all modes of transit, including the ability to acquire, purchase, operate, condemn or inherit an existing transit system within the transit area.

Highlights of the final legislation include the following:

- Agency name change from Tri-County Commuter Rail Authority to South Florida Regional Transportation Authority (SFRTA);
- Expanded authority from commuter rail operation to transit system operation (including bus service);
- Change in board composition (one County Commissioner from each county (3 appointments); one citizen appointee from each county commission (3 appointments); Florida Department of Transportation – District Secretary (1 appointment); and two citizen appointees from the Governor (2 appointments);
- Ability to acquire, purchase, operate, condemn or inherit an existing transit system (upon consent of such entity);
- Provision for service expansion into contiguous counties (upon approval by prospective county);
- Operating funds contributions from Broward, Miami-Dade, Palm Beach Counties in an amount not less than \$1.565 million annually; and
- Capital funds contributions from each county in the SFRTA service area in the amount of \$2.67 million, to leverage State and Federal dollars for new capital projects implementation.

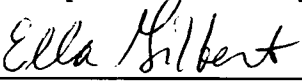
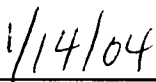
EXHIBITS ATTACHED: Exhibit 1 – Florida Statute 343 (SFRTA Legislation)

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
LEGISLATION

Agency:

 _____ South Florida Regional Transportation Authority	 _____ Date
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Project Manager:

 _____ Ella Gilbert	 _____ Date
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Chair:

_____ Date	
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CHAPTER 2003-159

Committee Substitute for
Committee Substitute for Senate Bill No. 686

An act relating to public transit; amending s. 343.51, F.S.; providing a short title; amending s. 343.52, F.S.; revising definitions; amending s. 343.53, F.S.; redesignating the Tri-County Rail Authority as the South Florida Regional Transportation Authority; revising provisions relating to appointment of the governing board of the authority; amending s. 343.54, F.S.; revising powers and duties of the authority; authorizing the authority to expand its service area into counties contiguous to the service area of the authority upon consent of the board of county commissioners; requiring that the authority obtain consent prior to operating an existing system owned by another entity; providing conditions for acquisition of an existing entity by the authority; authorizing the authority to expand its service area into counties contiguous to the service area of the authority under certain circumstances; providing funding requirements; amending ss. 343.55, 343.56, 343.57, F.S.; providing for the authority to issue and pay revenue bonds; providing that the bonds are not debts or pledges of credit of the state; amending ss. 112.3148 and 768.28, F.S.; conforming provisions to changes made by the act; creating s. 343.58, F.S.; providing for county funding for the authority; requiring counties served by the authority to dedicate a specified amount of funding; authorizing a tax on motor vehicle registration; requiring approval by referendum for such tax; providing for distribution to the authority of moneys received for the tax; providing a statement of important state interest; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 343.51, Florida Statutes, is amended to read:

343.51 Short title.—This part may be cited as the “South Florida Regional Transportation Authority Act.”

Section 2. Section 343.52, Florida Statutes, is amended to read:

343.52 Definitions.—As used in this part, ~~unless the context clearly indicates otherwise~~, the term:

(1) “Authority” means the South Florida Regional Transportation Authority.

(2) “Board” means the governing body of the authority.

(3) “Area served” means Miami-Dade, Broward, and Palm Beach Counties. However, this area may be expanded by mutual consent of the authority and the board of county commissioners representing the proposed expansion area.

~~(4)(3)~~ “Transit system” ~~“Commuter railroad”~~ means a system used for the transportation of people and goods by means of, without limitation, a street railway, an elevated railway having a fixed guideway, a commuter railroad, a subway, motor vehicles, or motor buses, and includes a complete system of tracks, guideways, stations, and rolling stock necessary to effectuate ~~medium-distance to long-distance passenger rail service to or from the surrounding regional municipalities.~~

~~(5)(4)~~ “Transit Commuter rail facilities” means property, and avenues of access, equipment, or buildings built and installed in Miami-Dade Dade, Broward, and Palm Beach Counties, which are required to support a transit system for commuter rail or fixed guideway systems.

~~(6)(5)~~ “Member” means the individuals constituting the board.

~~(7)(6)~~ “Feeder transit services” means a transit system that transports fixed guideway or bus service to transport passengers to or from rail stations within or across counties.

Section 3. Section 343.53, Florida Statutes, is amended to read:

343.53 South Florida Regional Transportation Tri-County Commuter Rail Authority.—

(1) There is created and established a body politic and corporate, an agency of the state, to be known as the “South Florida Regional Transportation Tri-County Commuter Rail Authority,” hereinafter referred to as the “authority.”

(2) The governing board of the authority shall consist of nine voting members, as follows:

(a) The county commissions of Miami-Dade Dade, Broward, and Palm Beach Counties shall each elect a commissioner as that commission’s representative on the board. The commissioner must be a member of the county commission when elected and for the full extent of his or her term.

(b) The county commissions of Miami-Dade Dade, Broward, and Palm Beach Counties shall each appoint a citizen member to the board who is not a member of the county commission but who is a resident of the county from which he or she is appointed and a qualified elector of that county. Insofar as practicable, the citizen member shall represent the business and civic interests of the community.

(c) The secretary of the Department of Transportation shall appoint one of the district secretaries, or his or her designee, for the districts within which the area served by the South Florida Regional Transportation Authority tri-county rail is located.

(d) If the authority’s service area is expanded pursuant to s. 343.54(5), the county containing the new service area shall have three members appointed to the board as follows:

1. The county commission of the county shall elect a commissioner as that commission's representative on the board. The commissioner must be a member of the county commission when elected and for the full extent of his or her term.

2. The county commission of the county shall appoint a citizen member to the board who is not a member of the county commission but who is a resident and a qualified elector of that county. Insofar as is practicable, the citizen member shall represent the business and civic interests of the community.

3. The Governor shall appoint a citizen member to the board who is not a member of the county commission but who is a resident and a qualified elector of that county. The other eight members of the board shall elect, by a simple majority vote, an at-large member who is a resident and qualified elector in the area served by the tri-county rail.

(e) The Governor shall appoint two members one member to the board who are residents and qualified electors is a resident and qualified elector in the area served by the authority but who are not residents of the same county and also not residents of the county in which the district secretary who was appointed pursuant to paragraph (c) is a resident tri-county rail.

(3)(a) Members of the governing board of the authority shall be appointed to serve 4-year staggered terms, except that the terms of the appointees of the Governor shall be concurrent.

(b) The terms of the board members currently serving on the authority that is being succeeded by this act shall expire July 30, 2003, at which time the terms of the members appointed pursuant to subsection (2) shall commence. The Governor shall make his or her appointments to the board within 30 days after July 30, 2003. The terms of the county commissioners on the governing board of the authority shall be 2 years. All other members on the governing board of the authority shall serve staggered 4-year terms. Each member shall hold office until his or her successor has been appointed.

(4) A vacancy during a term shall be filled by the respective appointing authority in the same manner as the original appointment and only for the balance of the unexpired term.

(5) The members of the authority shall serve without not be entitled to compensation, but are entitled to reimbursement shall be reimbursed for travel expenses actually incurred in their duties as provided by law.

Section 4. Section 343.54, Florida Statutes, is amended to read:

343.54 Powers and duties.—

(1)(a) The authority created and established by this part shall have the right to own, operate, maintain, and manage a transit commuter rail system in the tri-county area of Broward, Miami-Dade Dade, and Palm Beach Counties, hereinafter referred to as the South Florida Regional Transportation Authority Tri-County Rail.

(b) It is the express intention of this part that the authority be authorized to plan, develop, own, purchase, lease, or otherwise acquire, demolish, construct, improve, relocate, equip, repair, maintain, operate, and manage a transit commuter rail system and transit commuter rail facilities; to establish and determine the such policies as may be necessary for the best interest of the operation and promotion of a transit commuter rail system; and to adopt such rules as may be necessary to govern the operation of a transit commuter rail system and transit commuter rail facilities. It is the intent of the Legislature that the South Florida Regional Transportation Authority shall have overall authority to coordinate, develop, and operate a regional transportation system within the area served.

(c) Notwithstanding subsection (3), the South Florida Regional Transportation Authority may not exercise the powers in paragraph (b) with respect to an existing system for transporting people and goods by any means which is owned by another entity without the consent of that entity. Furthermore, if the authority acquires, purchases, operates, condemns, or inherits an existing entity, the authority shall also inherit and assume all rights, assets, labor agreements, appropriations, privileges, and obligations of the existing entity. This paragraph does not preclude the South Florida Regional Transportation Authority from having the primary responsibility to develop and coordinate the transportation systems within the service area of the South Florida Regional Transportation Authority.

(2) The authority created in this part herein shall be the successor and assignee of the Tri-County Commuter Rail Authority Organization (TCRO) and shall inherit all rights, assets, labor agreements, appropriations, privileges, and obligations of the Tri-County Commuter Rail Authority TCRO.

(3) The authority may exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the aforesaid purposes, including, but not limited to, the following rights and powers:

(a) To sue and be sued, implead and be impleaded, complain and defend in all courts in its own name.

(b) To adopt and use a corporate seal.

(c) To have the power of eminent domain, including the procedural powers granted under chapters 73 and 74.

(d) To acquire, purchase, hold, lease as a lessee, and use any franchise or property, real, personal, or mixed, tangible or intangible, or any interest therein, necessary or desirable for carrying out the purposes of the authority.

(e) To sell, convey, exchange, lease, or otherwise dispose of any real or personal property acquired by the authority, including air rights.

(f) To fix, alter, establish, and collect rates, fares, fees, rentals, and other charges for the use of any transit commuter rail system or transit facilities owned or operated by the authority.

(g) To develop and provide feeder transit services to or from ~~rail~~ stations within or across counties.

(h) To adopt bylaws for the regulation of the affairs and the conduct of the business of the authority. The bylaws shall provide for quorum and voting requirements, maintenance of minutes and other official records, and preparation and adoption of an annual budget.

(i) To lease, rent, or contract for the operation or management of any part of a ~~transit commuter rail~~ system or ~~transit commuter rail~~ facility, including feeder transit services and concessions. In awarding a contract, the authority shall consider, but is not limited to, the following:

1. The qualifications of each applicant.
2. The level of service.
3. The efficiency, cost, and anticipated revenue.
4. The construction, operation, and management plan.
5. The financial ability to provide reliable service.
6. The impact on other transportation modes, including the ability to interface with other transportation modes and facilities.

(j) To enforce collection of rates, fees, and charges, and to establish and enforce fines and penalties for violations of any rules.

(k) To advertise and promote ~~transit commuter rail~~ systems, transit facilities, and activities of the authority.

(l) To employ an executive director, attorney, staff, and consultants.

(m) To cooperate with other governmental entities and to contract with other governmental agencies, including the Department of Transportation, the Federal Government, regional planning councils, counties, and municipalities.

(n) To enter into joint development agreements.

(o) To accept funds from other governmental sources, and to accept private donations.

(p) To purchase by directly contracting with local, national, or international insurance companies to provide liability insurance which the authority is contractually and legally obligated to provide, the requirements of s. 287.022(1), notwithstanding.

(4) The authority shall develop and adopt a plan for the operation, maintenance, and expansion of the ~~transit system~~ tri-county commuter rail service. Such plan shall address the authority's plan for the development of public and private revenue sources, and the service to be provided, including expansions of current service which are consistent, to the maximum extent

feasible, with approved local government comprehensive plans. The plan shall be reviewed and updated annually.

(5) The authority, by a resolution of its governing board, may expand its service area and enter into a partnership with any county that is contiguous to the service area of the authority. The board shall determine the conditions and terms of the partnership, except as provided herein. However, the authority may not expand its service area without the consent of the board of county commissioners representing the proposed expansion area, and a county may not be added to the service area except in the year that federal reauthorization legislation for transportation funds is enacted.

Section 5. Section 343.55, Florida Statutes, is amended to read:

343.55 Issuance of revenue bonds.—

(1) The authority is authorized to borrow money as provided by the State Bond Act for the purpose of paying all or any part of the cost of any one or more ~~Tri-County Rail~~ projects of the South Florida Regional Transportation Authority. The principal of, and the interest on, such bonds shall be payable solely from revenues pledged for their payment.

(2) The proceeds of the bonds of each issue shall be used solely for the payment of the cost of ~~the Tri-County Rail~~ projects for which such bonds shall have been issued, except as provided in the State Bond Act. Such proceeds shall be disbursed and used as provided in this part and in such manner and under such restrictions, if any, as the Division of Bond Finance may provide in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same.

(3) The Division of Bond Finance is authorized to issue revenue bonds on behalf of the authority to finance or refinance the cost of ~~Tri-County Rail~~ projects.

Section 6. Section 343.56, Florida Statutes, is amended to read:

343.56 Bonds not debts or pledges of credit of state.—Revenue bonds issued under the provisions of this part are not debts of the state or pledges of the faith and credit of the state. Such bonds are payable exclusively from revenues pledged for their payment. All such bonds shall contain a statement on their face that the state is not obligated to pay the same or the interest thereon, except from the revenues pledged for their payment, and that the faith and credit of the state is not pledged to the payment of the principal or interest of such bonds. The issuance of revenue bonds under the provisions of this part does not directly, indirectly, or contingently obligate the state to levy or to pledge any form of taxation whatsoever, or to make any appropriation for their payment. No state funds shall be used to pay the principal or interest of any bonds issued to finance or refinance any portion of the South Florida Regional Transportation Authority transit Tri-County Rail system, and all such bonds shall contain a statement on their face to this effect. However, federal funds being passed through the department to the South Florida Regional Transportation Authority Tri-County Rail system and those state matching funds required by the United States Depart-

ment of Transportation as a condition of federal funding may be used to pay principal and interest of any bonds issued.

Section 7. Section 343.57, Florida Statutes, is amended to read:

343.57 Pledge to bondholders not to restrict certain rights of authority.—The state pledges to and agrees with the holders of the bonds issued pursuant to this part that the state will not limit or restrict the rights vested in the authority to construct, reconstruct, maintain, and operate any ~~Tri-County Rail~~ project as defined in this part, to establish and collect such fees or other charges as may be convenient or necessary to produce sufficient revenues to meet the expenses of maintenance and operation of the ~~Tri-County Rail~~ system, and to fulfill the terms of any agreements made with the holders of bonds authorized by this part. The state further pledges that it will not in any way impair the rights or remedies of the holders of such bonds until the bonds, together with interest thereon, are fully paid and discharged.

Section 8. Paragraphs (a) and (b) of subsection (6) of section 112.3148, Florida Statutes, are amended to read:

112.3148 Reporting and prohibited receipt of gifts by individuals filing full or limited public disclosure of financial interests and by procurement employees.—

(6)(a) Notwithstanding the provisions of subsection (5), an entity of the legislative or judicial branch, a department or commission of the executive branch, a water management district created pursuant to s. 373.069, South Florida Regional Transportation Tri-County Commuter Rail Authority, the Technological Research and Development Authority, a county, a municipality, an airport authority, or a school board may give, either directly or indirectly, a gift having a value in excess of \$100 to any reporting individual or procurement employee if a public purpose can be shown for the gift; and a direct-support organization specifically authorized by law to support a governmental entity may give such a gift to a reporting individual or procurement employee who is an officer or employee of such governmental entity.

(b) Notwithstanding the provisions of subsection (4), a reporting individual or procurement employee may accept a gift having a value in excess of \$100 from an entity of the legislative or judicial branch, a department or commission of the executive branch, a water management district created pursuant to s. 373.069, South Florida Regional Transportation Tri-County Commuter Rail Authority, the Technological Research and Development Authority, a county, a municipality, an airport authority, or a school board if a public purpose can be shown for the gift; and a reporting individual or procurement employee who is an officer or employee of a governmental entity supported by a direct-support organization specifically authorized by law to support such governmental entity may accept such a gift from such direct-support organization.

Section 9. Paragraph (d) of subsection (10) of section 768.28, Florida Statutes, is amended to read:

768.28 Waiver of sovereign immunity in tort actions; recovery limits; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.—

(10)

(d) For the purposes of this section, operators, dispatchers, and providers of security for rail services and rail facility maintenance providers in the South Florida Rail Corridor, or any of their employees or agents, performing such services under contract with and on behalf of the South Florida Regional Transportation ~~Tri-County Commuter Rail~~ Authority or the Department of Transportation shall be considered agents of the state while acting within the scope of and pursuant to guidelines established in said contract or by rule.

Section 10. Section 343.58, Florida Statutes, is created to read:

343.58 County funding for the South Florida Regional Transportation Authority.—

(1) Each county served by the South Florida Regional Transportation Authority must dedicate \$2.67 million to the authority annually. The recurring annual \$2.67 million must be dedicated by the governing body of each county by August 1, 2003. Notwithstanding ss. 206.41 and 206.87, such dedicated funding may come from each county's share of the ninth-cent fuel tax, the local option fuel tax, or any other source of local gas taxes or other nonfederal funds available to the counties. In addition, the Legislature authorizes the levy of an annual license tax in the amount of \$2 for the registration or renewal of registration of each vehicle taxed under s. 320.08 and registered in the area served by the South Florida Regional Transportation Authority. The annual license tax shall take effect in any county served by the authority upon approval by the residents in a county served by the authority. The annual license tax shall be levied and the Department of Highway Safety and Motor Vehicles shall remit the proceeds each month from the tax to the South Florida Regional Transportation Authority.

(2) In addition, each county shall continue to annually fund the operations of the South Florida Regional Transportation Authority in an amount not less than \$1.565 million. Such funds pursuant to this subsection shall also be considered a dedicated funding source.

If, by December 31, 2009, the South Florida Regional Transportation Authority has not received federal matching funds based upon the dedication of funds under subsection (1), subsection (1) shall be repealed.

Section 11. The Legislature finds that a proper and legitimate state purpose is served in the effective and efficient planning and operation of a regional transportation system. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 12. This act shall take effect July 1, 2003.

Approved by the Governor June 20, 2003.

Filed in Office Secretary of State June 20, 2003.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)
MEETING : JANUARY 21, 2004

AGENDA ITEM REPORT



Information Item



Presentation

PLANNING TECHNICAL ADVISORY COMMITTEE
PURPOSE AND SCOPE

SUMMARY EXPLANATION AND BACKGROUND:

At the October 2003 South Florida Regional Transportation Authority (SFRTA) Board Meeting, the Board approved the formation of a Planning Technical Advisory Committee (PTAC) to provide technical recommendations to the Board through the Executive Director on land-use and regional transportation planning issues.

The PTAC, as approved, is proposed to consist of planning directors from Miami-Dade, Broward and Palm Beach representing County Transit Agencies, Metropolitan Planning Organizations, Regional Planning Councils, the Florida Department of Transportation and the SFRTA.

The committee will develop a process for prioritization of transportation projects; Short and Long-Range regional transportation plans; coordinate with respective agencies' Long-Range Transportation Improvement Program (LRTP); Transportation Improvement Plans (TIP), State Transportation Improvement Program (STIP) and Transit Development Plans (TDP). The committee will also review and make recommendations regarding joint development/transit oriented development of regional impact.

EXHIBITS ATTACHED: Exhibit 1 – SFRTA Technical Committees Presentation

PLANNING TECHNICAL ADVISORY COMMITTEE
PURPOSE AND SCOPE


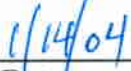
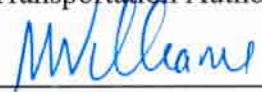
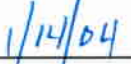
Agency:		
	South Florida Regional Transportation Authority	Date
Project Manager:		
	Michael Williams	Date
Chair:		
		Date

EXHIBIT 1

PROPOSED SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY (SFRTA) TECHNICAL COMMITTEES

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)

Purpose:

To provide technical recommendations to the Board, through the Executive Director, on land-use and regional transportation planning issues.

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)

Scope:

- Develop a process for prioritization of transportation projects;
- Develop Short and Long-Range Regional Transportation Plans;
- Coordinate with respective agencies' Long-Range Transportation Plans (LRTP), Transportation Improvement Programs (TIP), State Transportation Plans (STIP) and Transit Development Plans (TDP); and

cont. 

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)

Scope:

- Review and make recommendations regarding:
 1. Joint Development/Transit-Oriented Development (TOD).
 2. Environmental Impact Studies (National Environmental Policy Act - NEPA).
 3. Regional transportation planning and coordination with local projects.
 4. Developments of Regional Impact.

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)

Members:

The PTAC shall be comprised of the Planning Directors from the following agencies:

- County Transit Agencies (3);
- Metropolitan Planning Organizations (3);
- Regional Planning Councils (2);
- Florida Department of Transportation (2); and
- Regional Transportation Authority (1).*

**The SFRTA Planning Director shall serve as chair of the Committee.*

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)

Qualifications/Appointment:

Each Member shall be an employee of their respective agency and shall be appointed by their respective agency, subject to SFRTA concurrence.

Frequency of Meetings:

The Committee shall meet on a bi-monthly basis.

MARKETING COMMITTEE

Purpose:

To provide recommendations to the RTA board, through the Executive Director, pertinent to regional marketing initiatives encompassing, but not limited to, ridership growth, image development, revenue generation, public/ media relations and advertising.

MARKETING COMMITTEE

Scope:

To provide guidance and recommendations in the following areas:

- Develop and implement a marketing plan;
- Develop a logo for SFRTA;
- Develop programs to generate revenues;
- Oversee marketing budget; and
- Brand RTA name and recognition.

MARKETING COMMITTEE

Members:

- SFRTA Director of Marketing;*
- Senior Marketing Executives from PalmTran (1), BCT (1) and MDT (1); and
- Florida Department of Transportation Representative (1).

Support:

- SFRTA Marketing Contractor(s); and
- South Florida Commuter Services Representative.

**The SFRTA Director of Marketing shall serve as chair of the Committee.*

MARKETING COMMITTEE

Qualifications/Appointment:

Each Member shall be an employee of their respective agency and shall be appointed by their respective agency, subject to SFRTA concurrence.

Frequency of Meetings:

The Committee shall meet on a monthly basis.

OPERATIONS TECHNICAL COMMITTEE

Purpose:

To provide technical recommendations to the Board, through the Executive Director, regarding transit operations in the SFRTA service area, including improvement of transit coordination and service.

OPERATIONS TECHNICAL COMMITTEE

Scope:

**To provide recommendations on operational issues
including:**

- Improving ridership;
- Expanding service area;
- Proposing schedule changes; and
- Improving coordination with other transit agencies, including feeder-bus service.

OPERATIONS TECHNICAL COMMITTEE

Members:

- SFRTA Operations Director or Manager (1);*
- Palm Beach County Transit Representative (1);
- Broward County Transit Representative (1);
- Miami-Dade County Transit Representative (1);
- Local Transportation Management Associations Representatives(#);
- South Florida Commuter Services Representative (1);
- Florida Department of Transportation Representative (1);
- Amtrak (1);
- CSXT (1); and
- FEC (1).

**The SFRTA Operations Director/Manager shall serve as
chair of the Committee.*

OPERATIONS TECHNICAL COMMITTEE

Qualifications/Appointment:

Each Member shall be an employee of their respective agency or company and shall be appointed by their respective agency or company, subject to SFRTA concurrence.

Frequency of Meeting:

The Committee shall meet on a bi-monthly basis.

PROPOSED SFRTA TECHNICAL COMMITTEES

General Issues:

- Propose that Board form technical committees by resolution
- All technical committees shall be governed by the SFRTA By-laws.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)
MEETING : JANUARY 21, 2004

AGENDA ITEM REPORT

☒ Information Item

☐ Presentation

SOUTH FLORIDA REGIONAL TRANSPORTATION
ADVISORY COMMITTEES BYLAWS

SUMMARY EXPLANATION AND BACKGROUND:

At the October 2003 the South Florida Regional Transportation Authority (SFRTA) Board Meeting, the Board approved the adoption of SFRTA By-Laws to provide the rule for governance of its members and regulation of its affairs. The SFRTA By-Laws govern all standing, special and advisory committees of the Authority. Articles III through V of the By-Laws provide the foundation for the operating procedures related to the PTAC and are attached as Exhibit 1.

EXHIBITS ATTACHED: Exhibit 1 – SFRTA By-Laws

SOUTH FLORIDA REGIONAL TRANSPORTATION
ADVISORY COMMITTEES BYLAWS

Agency:



South Florida Regional
Transportation Authority



Date

Project Manager:



Michael Williams



Date

Chair:

Date

BY-LAWS

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

[insert logo]

ADOPTED OCTOBER 24, 2003

Members of the SFRTA Board

Michael D. Masanoff, Chair
Allen C. Harper, Vice Chair

Barbara Carey-Shuler
James A. Cummings
Marie Horenburger
Jeff Koons
John Martinez
Lori Nance Parrish
Bill T. Smith

Executive Director

Joseph Giulietti

South Florida Regional Transportation Authority
800 NW 33rd Street, Suite 100
Pompano Beach, FL 33064

**BY-LAWS OF THE
SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**

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ARTICLE I - THE AUTHORITY

1.1. NAME OF THE AUTHORITY. The name of the Authority shall be the "South Florida Regional Transportation Authority". The Authority shall do business under the names "South Florida Regional Transportation Authority", "Regional Transportation Authority", "SFRTA", "Tri-Rail" and/or any other fictitious names the Authority may file with the State of Florida Secretary of State's office. The Authority shall in its discretion use any approved fictitious name, including any of those mentioned above, separately or in any combination thereof.

1.2. SEAL OF THE AUTHORITY. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority.

1.3. OFFICE(S) OF THE AUTHORITY. The office(s) of the Authority shall be located at such place(s) as the members of the Authority may designate from time to time.

1.4. GOVERNANCE OF THE AUTHORITY. The powers of the Authority shall be vested in the members thereof, who shall comprise its governing body. The governing body of the Authority shall consist of up to nine (9) members (the "Board"). All members of the Board shall be voting members. The members shall consist of: (a) one county commissioner from each county (Miami-Dade, Broward and Palm Beach), as appointed by the respective county commission; (b) one citizen representative (who is a non-commissioner, resident and qualified elector of the appointing county) from each county (Miami-Dade, Broward and Palm Beach), as appointed by the respective county commission; (c) one appointee of the Secretary of the Florida Department of Transportation (a district secretary or his or her designee from the districts within the area served by the Authority); and (d) two citizen appointees of the Governor (residents and qualified electors of the Authority's service area, but not of the same county and not of the same county as the district secretary appointee).

In the event the Authority's service area is expanded by the procedure outlined in Section 343.54(5), F.S., the following members shall be added to the Board: (a) one county commissioner from the added county, as appointed by that county commission; (b) one citizen representative from the added county (non-commissioner, resident and qualified elector of appointing county), appointed by that county commission; and (c) one citizen appointee of the Governor (resident, qualified elector and who is not a member of that county commission).

Board members are entitled to receive from the Authority their travel and other necessary expenses incurred in connection with the business of the Authority as provided by law, but they may not draw salaries or other compensation.

1.5. GENERAL POWERS AND DELEGATION OF AUTHORITY. The Board shall be the policy making entity of the Authority. Except as provided by Chapter 343, Florida Statutes, as amended, and as otherwise prescribed from time to time by

applicable law, the power of the Authority shall be exercised by or under the authority of, and the business and affairs of the Authority shall be managed under the direction of the Board. The Executive Director and staff of the Authority shall be responsible for carrying out the policies established by the Board and for the day-to-day management of the Authority. The Board may delegate to one or more of its members, agents or employees such of its power as it deems necessary to carry out its purposes.

1.6. BUDGET DEVELOPMENT AND AMENDMENT PROTOCOL. Each year, on or before the second month prior to the end of the fiscal year, the Executive Director shall cause to be delivered to each member of the Board a proposed budget of the Authority for the ensuing fiscal year. The proposed budget shall encompass all operations and maintenance, administrative and capital expenditures expected to be made by the Authority in the ensuing fiscal year. The Executive Director shall cause the proposed budget to be presented in such format as he or she shall determine to be necessary or appropriate in order to inform the Board as to the nature of anticipated expenditures. The Executive Director shall follow a similar procedure for adoption of budget amendments, except that they can be proposed at any time during the fiscal year.

ARTICLE II - PURPOSES AND POWERS

2.1. PURPOSES. The purposes of the Authority shall be as prescribed by Chapter 343, Florida Statutes, as amended, and as otherwise prescribed from time to time by applicable law.

2.2. POWERS. The powers of the Authority shall be as prescribed by Chapter 343, Florida Statutes, as amended, and as otherwise prescribed from time to time by applicable law.

ARTICLE III - OFFICERS, EMPLOYEES AND AGENTS

3.1. OFFICERS GENERALLY. At its initial meeting, the Board shall elect from its members a Chair (the "Chair") and a Vice Chair (the "Vice Chair"), each to serve until the end of the current fiscal year. At the end of the fiscal year and each fiscal year thereafter, the Board shall elect a new Chair and Vice Chair and each shall serve for a one (1) year term. Such election shall occur at either the last regularly scheduled meeting of the Board prior to the end of the Chair and Vice Chair's term or at a meeting called for that purpose.

Each officer of the Board shall hold office until a successor has been duly appointed, or until an earlier resignation, removal from office in accordance with applicable law or death.

3.2. CHAIR. The Chair shall call, and preside at, all meetings of the Board at which he or she is present and shall be interested in all affairs of the Authority. The Chair shall preserve strict order and decorum at all meetings of the Board. Except as

otherwise authorized by resolution of the Board or these By-laws, the Chair may sign all contracts, deeds and other instruments on behalf of the Authority.

3.3. VICE CHAIR. The Vice Chair shall perform the duties and exercise the powers of the Chair in the absence or incapacity of the Chair. In case of the resignation, removal or death of the Chair, the Vice Chair shall perform the duties and exercise the powers until such time as the Board shall elect a new Chair pursuant to Section 3.8.

3.4. CHAIR PROTEM. In the absence or incapacity of the Chair, Vice Chair, and immediate past Chair, the members of the Board in attendance at any meeting may elect a Chair Protem for the purpose of presiding at such meeting, and the Chair Protem shall perform the duties of the Chair at such meeting. Upon the arrival of the Chair or the Vice-Chair, the Chair Protem shall relinquish the chair.

3.5. SECRETARY. The Executive Director shall serve as Secretary to the Board. The Secretary or his or her designee shall:

(a) accurately keep all the minutes of the meetings of the Board and its committees and such other records of the official business of the Authority as the Board shall require;

(b) prescribe for the Board any required publication notices, agreements, resolutions or By-law amendments;

(c) maintain and make available for public inspection an indexed file containing copies of these By-laws, every adopted resolution and agreement and every adopted amendment or notification of any of the foregoing; and

(d) except as may be otherwise provided by resolution of the Board, have the power to attest the seal of the Authority, but neither application of the seal of the Authority nor attestation of the seal by the Secretary shall be necessary to the effectiveness of any contract, deed or other instrument made by the Authority.

3.6. VACANCIES. Should any of the offices held by members of the Board become vacant, the members shall elect a successor at the earliest practicable opportunity. If any officer of the Board shall vacate such membership, such member shall be deemed to have vacated his or her position as officer as well.

3.7. ABSENCES. The Executive Director shall notify the Board of any members who were absent for three (3) regularly scheduled meetings during the current fiscal year. A Board member who also serves as an officer shall be deemed to have resigned from his/her duties as officer upon the three absences.

3.8. EMPLOYEES AND AGENTS GENERALLY. The Board shall employ an executive director (the "Executive Director") as it may require and shall determine the qualifications and fix the compensation of such person. The Board may retain such attorneys, including General Counsel to the Board, auditors and consultants as it may

require and shall determine the qualifications and fix the compensation of such persons, firms or corporations.

3.9. EXECUTIVE DIRECTOR

The Executive Director shall be chosen on the basis of qualifications required by a job description to be prepared by the Board. The Executive Director shall serve at the will of the Board. Appointment and dismissal of the Executive Director shall require an affirmative vote by a majority vote of the entire Board and a written resolution and/or motion. The Executive Director shall not be engaged in any other business or employment during his or her employment as Executive Director and shall be a full-time employee.

By letter filed with the Authority, the Executive Director, or failing that, the Board, may designate a qualified Authority staff employee to exercise the powers and perform the duties of the Executive Director during any temporary absence or disability of the Executive Director. The Board may appoint a person to perform the duties of the Executive Director during any suspension, vacancy or prolonged absence from that position.

Subject to the general control of the Board and the supervision, direction, coordination, consent and approval of the Board, the duties and powers of the Executive Director shall be to:

- (a) report to all members of the Board, respond to all inquiries of Board members, carry out the directives of the Board and conduct investigations necessary to respond to inquiries of Board members;
- (b) act as the chief administrative and operating officer of the Authority, including being responsible to the Board for the proper administration and day-to-day operations of the Authority placed in the Executive Director's charge by and under these By-laws, except where prohibited by the Constitution and Laws of Florida;
- (c) manage the properties and business of the Authority and its employees;
- (d) plan and implement programs in furtherance of the Authority's objectives, goals and policies, as from time to time established by the Board;
- (e) manage the personnel matters of the Authority, including approval of a personnel policy, recruitment, selection, appointment, assignment, transfer or promotion and demotion, discharge or other discipline for cause of the employees of the Authority in accordance with all applicable laws and regulations;
- (f) provide leadership for the employees of the Authority;
- (g) serve as liaison to and representative of the Authority in connection with intergovernmental relations with local, state and federal governmental bodies, and civic and community affairs and other external matters;
- (h) in accordance with all laws of the state, faithfully execute all agreements, resolutions and orders of the Board;

(i) submit an annual comprehensive budget to the Board, as required by Section 1.6 of these By-laws, and budget amendments, as necessary;

(j) with written concurrence of General Counsel, have the authority to settle all legal claims against Authority up to an amount of Twenty Five Thousand (\$25,000.00) Dollars. All settlement of claims over this amount shall be approved by the Board. All settlement of claims will be reported to the Board at the Authority's monthly meetings;

(k) except as otherwise authorized by the Board and its policies and rules, and pursuant to applicable law, the Executive Director may sign all contracts, deeds and other instruments made by the Authority and may approve and sign without Board approval all contracts, deeds and other instruments with a value of Twenty Five Thousand (\$25,000.00) or less;

(l) make regular monthly reports to the Board on Authority matters and keep the Board fully advised on the financial condition and future needs of the Authority and make such recommendations concerning Authority affairs as deemed desirable by the Executive Director;

(m) provide for the books or records of Authority to undergo an annual fiscal audit and submit the results to the Board;

(n) develop and approve policies and procedures in accordance with the Authority's rules and procedures or in accordance with delegated authority from the Board;

(o) consolidate, eliminate or create any Authority departments and reassign related functions as he or she may determine to be in the best interests of the Authority, unless otherwise directed by the Board; and

(p) perform such other powers or duties as are required by these By-laws, the Board or as may be prescribed by the Board and as specified in his or her employment agreement with Authority.

ARTICLE IV - AUTHORITY MEETINGS

4.1. MEETINGS GENERALLY. Meetings shall be regular, special or emergency. Notice of all meetings shall be given in the manner required by applicable law and these By-laws. Public access to all meetings shall be afforded in the manner required by applicable law, and when not inconsistent therewith, the provisions of Article IV of these By-laws. The Chair shall call all meetings in its discretion, except that the Chair shall be required to call a special meeting if requested to do so in writing executed by one less than a majority of the members. To the extent not inconsistent with these By-laws or with applicable law, all meetings shall be conducted in accordance with Roberts Rules of Order Newly Revised and other rules of procedure as adopted by the Board from time to time. All voting shall be by voice or roll call vote, at the discretion of the Chair, unless a member shall require a roll call, in which case the Chair shall require that the roll be called and the vote of each member entered in the minutes.

4.2. REGULAR MEETINGS. Regular meetings shall be held monthly, preferably the fourth Friday of each month, at whatever time of day is convenient for the Board, except that the Chair may determine not to hold a regular meeting in any particular month if he or she determines that it is unlikely that a quorum of the members will be available during that month or that the business and affairs of the Authority will not be affected adversely if no such meeting is held.

When the day fixed for any such regular meeting falls on a day designated by law as a legal holiday, such meeting shall be postponed or canceled by the Chair. Regular, special or emergency meetings may be otherwise postponed or canceled by resolution or motion adopted at a regular meeting by a majority of the Board members present. All regular meetings shall be held in such a place as may be approved by resolution or motion adopted at a regular meeting by a majority of the Board members present. When the agenda of the meeting has not been concluded, the Board shall either set a time certain for the conclusion of the scheduled order of business, or else by majority vote set such unfinished agenda items over to the next scheduled meeting.

4.3. REGULAR MEETING AGENDAS. The preliminary agenda of regular meetings shall be prepared by the Executive Director and shall include the following items: call to order, roll call, comments from the public, approval of minutes, Executive Director's report, General Counsel's report, committee reports (if applicable), action items, discussion items, informational items, announcements and adjournment. Each Board member, the Executive Director or the General Counsel may place an item on the agenda for discussion or action. The Executive Director shall provide a copy of each item upon which action is to be taken, including the text of each proposed resolution of the Board, to each member of the Board not less than four (4) calendar days prior to the regular meeting at which a vote is to be taken thereon. A member may request an action item to be tabled if the provisions of the preceding sentence have not been complied with. Unless a member requests that an action item be so tabled before the Board takes action thereon, such non-compliance shall be deemed waived. Any amendment to the agenda made within four (4) calendar days of the regular meeting shall be approved, in writing, by the Chair, by a majority of the Board or by the Executive Director at the meeting, subject to Board approval.

A copy of the agenda shall be posted on the Authority's website not less than four (4) calendar days prior to the Board meeting.

4.4. NOTICE OF REGULAR MEETINGS. The Authority shall publish notice of its regular Board meetings or workshops in: (1) the Florida Administrative Weekly; (2) the Authority's website; (3) at least one (1) local newspaper of general circulation throughout some or all of the Authority's service area; and (4) the office of the Authority and/or in such other location or locations and/or by such other method or methods as the Chair shall determine to be appropriate. All other public meetings, hearings and workshops shall be published, at a minimum, in the locations specified by items (1), (2) and (4) above. The notice shall be published not less than seven (7) days before the event. The notice shall include a statement of the general subject matter to be considered, the date, time and place of the regular meeting and the address where interested persons

may obtain a copy of the agenda for such regular meeting. The Executive Director shall provide a copy of the agenda, subject to amendments and subject to the provisions herein, for each regular meeting to each member not less than four (4) calendar days prior to such regular meeting. In addition, the Executive Director shall make a copy of such agenda available at the office of the Authority not less than four (4) calendar days prior to such regular meeting. The failure of a member of the Board to receive any such notice properly given shall not affect the legality of a meeting if a quorum is in attendance.

4.5 SPECIAL MEETINGS. Business transacted at a special meeting shall be limited to the business designated in the call of the meeting.

4.6 NOTICE OF SPECIAL MEETINGS. Notice of special meetings shall be the same as for regular Board meetings (see Section 4.4).

4.7. EMERGENCY MEETINGS. Business transacted at an emergency meeting shall be limited to the business designated in the call of the meeting which business shall be on account of any emergency. An “emergency” is defined as any situation that may constitute an immediate danger to the public health, safety or welfare and that requires immediate consideration by the Board. Emergency meetings may be called by the Chair, Vice Chair or Executive Director.

4.8. NOTICE OF EMERGENCY MEETINGS. The Authority shall give at least one (1) day’s public notice of any emergency meeting by posting such notice in any or all of the following: a local newspaper with general circulation in the Authority’s service area; the Authority’s website; the office of the Authority; and/or in such other location or locations and/or by such other method or methods as the Chair shall determine to be appropriate. Such notice shall also be delivered to the home or business address of each member of the Board not less than twelve (12) hours prior to such emergency meeting. Each such notice shall state the date, time and place of the emergency meeting and the purpose for which such emergency meeting has been called. The failure of a member of the Board to receive any such notice properly delivered shall not affect the legality of a special meeting if a quorum is in attendance.

4.9. SPECIAL AND EMERGENCY MEETING AGENDAS. The preliminary agenda of special or emergency meetings shall be prepared by the Executive Director and shall include the specific items which are the subject of the meeting, which may be items on a regular agenda. Each Board member, the Executive Director or the General Counsel may place an item on the agenda for discussion or action. The Executive Director shall provide a copy of each item upon which action is to be taken, including the text of each proposed resolution of the Board, subject to change and subject to the provisions herein, to each member of the Board not less than two (2) calendar days, if for a special meeting, and not less than twelve (12) hours, if for an emergency meeting, prior to the meeting at which a vote is to be taken thereon. A member may request an action item to be tabled if the provisions of the preceding sentence have not been complied with. Unless a member requests that an action item be so tabled before the Board takes action thereon, such non-compliance shall be deemed waived. Any amendment to the agenda made within two (2) calendar days of the special meeting or within twelve (12) hours of the emergency

meeting, shall be approved, in writing, by the Chair, by a majority of the Board or by the Executive Director at the meeting, subject to Board approval.

A copy of the agenda shall be posted on the Authority's website not less than two (2) calendar days, if for a special meeting, and not less than twelve (12) hours, for an emergency meeting.

4.10. NON-AGENDA MATTERS. Non-agenda matters shall be confined to items that cannot be addressed in a timely manner as an agenda item at a subsequent meeting or items that are informational only. Such matters may be raised only by majority vote of the entire Board.

4.11. QUORUM. A simple majority of the Board shall constitute a quorum, and the vote of a majority of those members present is necessary for the Board to take any action, except as indicated herein. A vacancy on the Board shall not impair the right of a quorum of the Board to exercise all of the rights and perform all of the duties of the Authority.

Should no quorum attend within thirty (30) minutes after the hour appointed for the meeting of the Board, the Chair or the Vice Chair, or, in their absence, the Executive Director or his/her designee, may adjourn the meeting until the next day, unless by unanimous agreement those members present select another hour or day.

Any member of the Board who announces a conflict of interest on a particular matter or in the proceedings related to that matter shall be deemed present for the purpose of constituting a quorum.

4.12. VOTING. The vote upon any resolution, motion or other matter may be by voice vote, provided that the Chair or any Board member may require a roll call vote to be taken. Upon every roll call vote, the names of the Board members shall be called alphabetically, except that the name of the presiding officer shall be called last.

4.13. RECONSIDERATION. An action of the Board may be reconsidered only at the same meeting at which the action was taken or at the next regular meeting thereafter. A motion to reconsider may be made only by a Board member who voted on the prevailing side of the question and must be concurred in by a majority of those present at the meeting. A Board member who was absent at the time a vote was taken shall be deemed to be on the prevailing side.

A motion to reconsider shall not be considered unless at least the same number of members are present as participated in the original vote under consideration. Adoption of a motion to reconsider places the issue being reconsidered in the exact position it occupied the moment before it was voted on originally.

4.14. RENEWAL. Once action is taken on a proposed resolution or motion, neither the exact same resolution or motion nor its repeal or rescission may be brought before the Board again during the six (6) month period following the said action (subject

to the provisions of Section 4.12 above), unless a majority of the members of the Board present vote for renewal.

4.15. READING MINUTES. Unless a reading of the minutes of a meeting is requested by a majority of the Board, such minutes, when approved by the Board shall be considered approved without reading.

4.16. ADDRESSING BOARD, MANNER, TIME. Any person, other than salaried members of Authority staff, attorneys or consultants, who addresses the Board shall step up to the speaker's lectern and shall give the following information in an audible tone of voice for the minutes: (a) name; (b) address; and, if requested by any Board member, may be required to state:

1. Whether they speak for themselves, a group of persons, or a third party, and, if the speaker represents an organization, whether the view expressed by the speaker represents an established policy of the organization approved by its governing council;
2. Whether the speaker is being compensated by the person or persons for whom he or she speaks; and
3. Whether the speaker or any member of his or her immediate family has a personal financial interest in the pending matter, other than that set forth in paragraph 2 above.

The speaker shall limit remarks to three (3) minutes, unless the presiding officer or a majority of those members of the Board present shall approve a longer or shorter time limitation. All remarks shall be addressed to the Board as a body and not to any member thereof. No person, other than Board members and the person having the floor, shall be permitted to enter into any discussion, either directly or through a Board member, without the permission of the presiding officer.

4.17. DECORUM. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Board shall be barred by the presiding officer from further audience before the Board, unless permission to continue or again address the Board be granted by the majority vote of the Board members present.

4.18. RESOLUTIONS, MOTIONS, CONTRACTS.

(a) APPROVAL OF DOCUMENTS BY GENERAL COUNSEL: To the extent possible, all resolutions and documents, before presentation to the Board, shall be reduced to writing and shall be approved as to form by the General Counsel.

(b) ACTIONS TO BE TAKEN BY WRITTEN OR VERBAL RESOLUTION OR MOTION OF THE BOARD: The adoption of the annual budget, amendments to these By-laws, or the appointment or dismissal of the Executive Director shall require a

majority vote of the entire Board and a written resolution and/or motion. All other actions shall require a majority of the attending quorum. Whenever action cannot be taken because the vote of the Board members has resulted in a tie, the status quo shall continue in effect and the proposed resolution or motion that produced the tie vote shall be removed from the agenda without prejudice to its reintroduction on a de novo basis at a later time; provided that when action or a resolution pertaining to quasi-judicial matters results in a tie vote, such resolution shall be carried over to the next regularly scheduled meeting for the consideration of such quasi-judicial matters unless a majority of the Board, as present, designate a different time for such reconsideration.

4.19. ADJOURNMENT. A motion to adjourn shall be passed by a majority vote of the quorum present at the end of the meeting; all unfinished agenda items shall either be moved to be heard at a time certain if the meeting is to be continued the following day(s) or moved to be heard at the next regularly scheduled Board meeting, subject to Section 4.2.

ARTICLE V – COMMITTEES

5.1. COMMITTEES GENERALLY. Committees of the Authority shall be standing, special or advisory. The standing committees are described in Section 5.4 of these By-laws. The Board may create or dissolve one or more special committees from time to time at its discretion. The Board shall appoint or re-appoint members to standing committees, as outlined herein. The Board shall appoint members to special and advisory committees at its discretion and may designate from among the members of each special or advisory committee a committee chair. The Secretary of the Board, or his or her designee, shall act as secretary to each committee. Standing, special and advisory committees shall have the powers set forth in these By-laws and as otherwise conferred by the Board and shall report to the Board. All such committees shall be governed by these By-laws.

All non-Authority employees on committees shall be volunteers and shall serve without compensation at the will of the Board. Each committee shall elect its own chair, unless otherwise directed by the Chair or these By-laws.

Except for those committees with specific delegated authority from the Board; (i) committees shall have no authority to act or obligate the Authority, or its officials, in any manner; (ii) committees may create subcommittees as they deem appropriate on either an ad hoc or ongoing basis; (iii) no committee shall issue a press release or make statements to the media; and (iv) after every committee meeting, the chair of a committee shall report to the Executive Director, prior to the next regularly scheduled meeting of the Board, and to the Board, at its next regularly scheduled meeting.

Committee members shall avoid any conflict of interest (this shall not apply to agreements entered into between the Authority and other governmental agencies whose representatives may serve on Authority committees) and prevent the appearance of undue

influence. Committee members shall be governed by the same conflict of interest laws and regulations that apply to Board members.

The following shall result in termination of a committee member: (i) at the request of the Board or the nominating member (in the case of the Citizens' Advisory Committee); (ii) conduct which conflicts with the objectives and policies of the Authority, as determined by the Board; (iii) absence from three (3) consecutive scheduled meetings without valid cause, or (iv) resignation. Items (ii) and (iii) do not apply if a committee member is also a Board member.

5.2. COMMITTEE CHAIRS. Subject to Section 5.4 of these By-laws, each committee chair shall call, and preside at, all meetings of the committee that he or she chairs and shall be interested in all affairs of the committee. In the event the committee chair is not present, the committee shall elect a chair protem for that meeting.

5.3. COMMITTEE MEETINGS GENERALLY. Committee meetings shall be either regular or special. Notice of all committee meetings shall be given in the manner required by applicable law. Public access to all meetings shall be afforded in the manner required by applicable law, and when not inconsistent herewith, the provisions of Sections 5.8 and 5.10 of these By-laws. The committee chair shall call all meetings in its discretion, except that the committee chair shall be required to call a special meeting if requested to do so in a writing executed by one less than a majority of the members of the committee. The committee chair shall determine the time and place of all meetings. To the extent not inconsistent with these By-laws or with applicable law, all meetings shall be conducted in accordance with Roberts Rules of Order Newly Revised. All voting shall be by voice or roll call vote, at the discretion of the committee chair, unless a member shall require a roll call, in which case the committee chair shall require that the roll be called and the vote of each member entered in the minutes.

5.4. REGULAR MEETINGS OF COMMITTEES. Regular meetings of committees shall be held not less often than bi-monthly, except that: (i) regular meetings of committees shall be held with such frequency as the Board shall determine or as specified by the By-laws, and (ii) the committee chair of each committee may determine not to hold a regular meeting if he or she determines that it is unlikely that a quorum of the members will be available at any time during the period when such meeting is otherwise required to be held or that the business and affairs of the committee will not be affected adversely if no such meeting is held.

5.5. REGULAR COMMITTEE MEETING AGENDAS. The agenda for a regular committee meeting, subject to change and subject to the provisions herein, shall be prepared by the Executive Director, or his or her designee, in consultation with the committee chair. Each committee member, the Executive Director or the General Counsel may place an item on such committee agenda for discussion or action. The Executive Director shall provide a copy of such agenda, including each item upon which action is to be taken, including the text of each resolution proposed for recommendation to the committee, to each committee member not less than four (4) calendar days prior to the regular committee meeting at which a vote is to be taken thereon. A committee

member may request an action item to be tabled if the provisions of the preceding sentence have not been complied with. Unless a committee member requests that an action item be so tabled before the committee takes action thereon, such non-compliance shall be deemed waived. An amendment to the agenda made within four (4) calendar days of the regular meeting shall be approved, in writing, by the committee chair, by a majority of the committee or by the Executive Director at the meeting, subject to committee approval.

5.6. NOTICE OF REGULAR COMMITTEE MEETINGS. The notice requirement shall be the same as for regular Board meetings (see Section 4.4). The Executive Director shall provide a copy of the agenda, subject to change and subject to the provisions herein, for each regular committee meeting to each committee member not less than four (4) calendar days prior to such regular committee meeting. In addition, a copy of such agenda shall be made available at the office of the Authority not less than four (4) calendar days prior to such regular committee meeting. The failure of a Board member to receive any such notice properly given shall not affect the legality of a special committee meeting if a quorum is in attendance.

5.7. SPECIAL MEETINGS OF COMMITTEES. Business transacted at a special meeting of a committee shall be limited to the business designated in the call of the meeting unless all of the members of the committee shall be present at such special meeting, in which event any and all business of the committee may be transacted at such special meeting.

5.8. SPECIAL COMMITTEE MEETING AGENDAS. The agenda of special committee meetings, subject to change and subject to the provisions herein, shall be prepared by the Executive Director, or his or her designee, in consultation with the committee chair. Each committee member, the Executive Director or the General Counsel may place an item on such committee agenda for discussion or action. The Executive Director shall provide a copy of such agenda, including each item upon which action is to be taken, including the text of each resolution proposed for recommendation to the committee, to each committee member not less than two (2) calendar days prior to the special committee meeting at which a vote is to be taken thereon. A committee member may request an action item to be tabled if the provisions of the preceding sentence have not been complied with. Unless a committee member requests that an action item be so tabled before the committee takes action thereon, such non-compliance shall be deemed waived. An amendment to the agenda made within two (2) calendar days of the special meeting shall be approved by the committee chair, by a majority of the committee or by the Executive Director at the meeting, subject to committee approval.

5.9. NOTICE OF SPECIAL COMMITTEE MEETINGS. The notice requirement for special meetings shall be the same as for regular committee meetings (see Sections 4.4 and 5.6). Such notice shall also be delivered to the home or business address of each member of the committee not less than twenty-four (24) hours prior to such special meeting of the committee. Each such notice shall state the date, time and place of the special meeting and the purpose for which such special meeting of the

committee has been called. The failure of a Board member to receive any such notice properly delivered shall not affect the legality of a special meeting if a quorum is in attendance.

5.10. COMMITTEE QUORUM. The quorum for committee meetings shall be a number equal to a simple majority of the members of the committee. The vote of a majority of those regular members present is necessary for the committee to take any action. A vacancy on the committee shall not impair the right of a quorum of the committee to exercise all of the rights and perform all of the duties of the committee.

5.11. COMMITTEE MEETINGS CONDUCTED BY COMMUNICATIONS MEDIA TECHNOLOGY. At the discretion of the Board, a committee may conduct a regular or special meeting by using communications media technology in compliance with all applicable laws. Prior to the conduct of a committee meeting by communications media technology, notice of the meeting shall be given as otherwise required by these By-laws and by applicable law, except that such notice shall plainly state that the committee meeting is to be conducted by means of or in conjunction with communications media technology and shall identify the specific type of communications media technology to be used. The notice shall also describe how interested persons may attend and shall contain the address or addresses of all designated places where a person interested in attending the committee meeting may go for purposes of attending the committee meeting. The places so designated in the notice shall be open to the public during the committee meeting. If during the course of a committee meeting held by communications media technology, technical problems develop with the communications media technology that prevent interested persons from attending the committee meeting, the committee meeting shall be recessed until such problems have been corrected.

5.12. JOINT COMMITTEE MEETINGS. Upon the agreement of the chair of each participating committee, joint meetings of two or more committees may be held. A simple majority of the members of each committee participating in such joint committee meeting shall constitute a quorum, and the vote of a majority of those members present is necessary for the joint committee meeting to take any action. For purposes of determining the presence of a quorum at a joint committee meeting, the position of committee members who serve on more than one of the committees participating in the joint committee meeting, if applicable, shall only be counted once and the member serving on both committees shall declare, for purposes of determining a quorum, which committee he or she is attending on behalf of. Actions taken by the joint committee meeting shall be reported to the Board as the actions of the joint committee meeting rather than as actions of the individual participating committees.

5.13. STANDING COMMITTEES. The standing committees of the Authority shall be as follows:

(a) *Property Committee*

Purpose: with delegated authority from the Board, pursuant to limitations determined by future Board action, to acquire and divest properties, to address

ownership, leasing, management, and mortgaging of the Authority's real property (whether in connection with the construction and maintenance of the Authority's capital improvement projects and other projects or otherwise), coordinate the Authority's joint development projects and to address other Authority property issues.

Scope: (i) negotiate and approve offers, counteroffers and settlements by property owners; and (ii) approve initiation of condemnation proceedings, resolutions and orders of taking. Scope is limited by applicable state and federal laws.

Members: the Executive Director and one (1) or more board members, as deemed necessary and appointed by the Board.

Meeting Frequency: as-needed basis

Reports to: the Board

Term: to be determined by the Board, subject to annual review.

(b) *Construction Oversight Committee*

Purpose: with delegated authority from the Board, pursuant to limitations determined by future Board action, to address all contractual issues outside of the Executive Director's authority in order to facilitate capital improvement projects.

Scope: review and approve all change orders, amendments, supplemental agreements, etc. associated with on-going capital improvement projects.

Members: one (1) or more board members, as deemed necessary and appointed by the Board.

Meeting Frequency: as-needed basis

Reports to: the Board

Term: to be determined by the Board, subject to annual review.

(c) *Citizens' Advisory Committee*

Purpose: to provide recommendations to the Board and the Executive Director on Authority issues referred to the committee for its consideration by the Board or the Executive Director, impacting regional transportation within the Authority's service area.

Scope: to be determined by the Board and the Executive Director, but may include: promoting ridership; contributing to marketing proposals; addressing complaints and recommendations from the public; developing ways to

accommodate the needs of users; and discussing pending laws that affect ridership.

Members: each member of the Board shall nominate one member to the committee, subject to Board approval. Each member of the committee shall be a resident of a county within the Authority's service area.

Meeting Frequency: bi-monthly

Reports to: the Board and the Executive Director

Term: to be determined by the Board, subject to annual review.

ARTICLE VI - RULES AND REGULATIONS

6.1. RULES AND REGULATIONS GENERALLY. By resolution and in accordance with applicable law, the Board may promulgate and amend from time to time rules and regulations regarding any matter or procedure within its purview. The Secretary shall keep a book of Authority rules and regulations.

ARTICLE VII – BOOKS AND RECORDS

7.1. MAINTENANCE OF BOOKS AND RECORDS. Under the supervision of the Secretary, the Authority shall maintain such books and records as shall be required from time to time under applicable law and shall comply with all applicable law governing access to public records.

ARTICLE VIII – AMENDMENTS

8.1. AMENDMENTS GENERALLY. These By-laws may be adopted, amended, waived or repealed by resolution approved by a majority vote of the entire Board at a regular meeting after consideration of the matter at a prior regularly scheduled Board meeting (except for the initial adoption which can occur after consideration at one (1) regularly scheduled Board meeting), unless approved by a supermajority of the Board membership at one(1) meeting. A supermajority shall be defined as two-thirds (2/3) of the members of the entire Board.

ARTICLE IX - EFFECTIVE DATE

9.1. EFFECTIVE DATE. These By-laws shall take effect immediately upon adoption of an approving resolution of the Board.

ARTICLE X – CONSTRUCTION AND SEVERABILITY

10.1. CONSTRUCTION. The powers granted by these By-laws shall be construed liberally in favor of the Authority.

10.2. SEVERABILITY. If any article, section, subsection, sentence, clause or provision of these By-laws or the application thereof shall be held invalid for any reason, the remainder of these By-laws and any agreements, regulations or resolutions made thereafter shall remain in full force and effect.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC)
MEETING: JANUARY 21, 2004

AGENDA ITEM REPORT

☒ Information Item

☐ Presentation

REGIONAL LONG RANGE TRANSPORTATION PLAN UPDATE

SUMMARY EXPLANATION AND BACKGROUND:

In February 2003, the Secretary for the Florida Department of Transportation (FDOT), on behalf of Governor Bush, sent a letter to the Metropolitan Planning Organizations (MPOs) of Miami-Dade, Broward and Palm Beach Counties requesting that they consider consolidating into one MPO due the regional nature of the 2000 Census growth in the three counties.

In response to this request for MPO consolidation, the three MPOs jointly responded to FDOT with the request that the MPOs be redesignated separately without affecting overall future coordination in long range transportation planning and transit analysis (Exhibit 1). The MPOs also recommended support for the formation of the regional transportation authority to address regional transit needs in the region.

Additionally, the MPOs committed to coordinate a number of planning activities including long-range transportation plans, transit analyses, freight and goods movement and regional modeling, amongst other things. The three MPOs are currently in the midst of updating their respective Long Range Transportation Plan (2030). In light of the MPOs commitment to FDOT and in the spirit of regionalism, staff members from the three MPOs, FDOT District 4 & 6 and the SFRTA met to form a Regional Long Range Transportation Planning Committee (RLRTPC) in an effort to develop a regional element to the MPO's respective LRTPs.

It is envisioned that the South Florida Regional Transportation Authority (SFRTA) will be the agency to advance the recommended regional LRTP program of projects. As such, the Planning Technical Advisory Committee (PTAC) is requesting an update on the regional long range transportation plan and definition of the role of PTAC and the SFRTA Board in determining the prioritization of the regional transit corridors.

EXHIBITS ATTACHED: Exhibit 1 – MPO's Response Letter to FDOT

REGIONAL LONG RANGE TRANSPORTATION PLAN UPDATE

Agency: Williams 1/14/04
South Florida Regional Date
Transportation Authority

Project Manager: Jonathan Roberson 1/14/04
Jonathan Roberson Date

Chair: _____
Date



April 16th, 2003

Mr. Jose Abreu, Secretary
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399-0450

RECEIVED

APR 25 2003

**METROPOLITAN PLANNING ORG.
PALM BEACH COUNTY**

RE: Redesignation of Southeast Florida MPOs

Dear Secretary Abreu:

In response to the FDOT request to consider designation of a single metropolitan planning organization for the Miami Urbanized Area, the Metropolitan Planning Organizations (MPOs) of Broward, Miami-Dade and Palm Beach Counties have jointly reviewed the proposal and find it is not in the best interests of the residents of South Florida. As a result, we are requesting the three existing MPOs be individually redesignated.

We do not support the consolidation proposal because of issues of size and complexity within the planning area. Collectively, we support a constituency exceeding 5 million, encompass more than 60 municipalities, serve over 50 combined current board members, and represent a geographic area for which only a portion of the travel is regional in nature and primarily along the north-south direction. These factors make such a proposal inappropriate.

The geographic arrangement is not like a typical metropolitan area with a radial monolithic structure. These metropolitan areas normally have a large central city completely or nearly completely surrounded by outlying communities with travel occurring in all directions. In contrast, southeast Florida's population is distributed in a linear fashion encompassing 100 miles from north to south. While a few major north/south connections are regional in nature and are addressed through the cooperative planning processes described below, the many east/west connections are local in nature and lend themselves better to local analysis, participation and decision-making – a concern especially crucial to the counties' cities. Adding to this complexity are differences along this linear axis including those related to socio-cultural factors, land uses, growth rates, and densities.

For these reasons, the three MPOs of Broward, Palm Beach and Miami-Dade Counties are compelled to remain separate. This fact has not, and will not, adversely impact ongoing and future coordination as outlined below:

- The three MPOs are decidedly supportive of the proposal before the State Legislature creating a Regional Transportation Authority (RTA). Passage of the bill and the proposed user fee speaks loudly for the tri-county Commissions and the MPOs and our common understanding of regional transit needs.
- Together, we coordinate the Air Quality Planning Process, in place since 1992, for the southeast Florida Airshed, jointly establishing emission budgets and working together to meet the same.

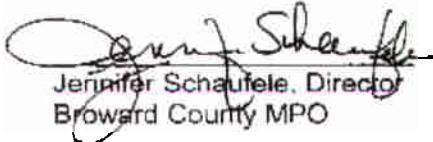
- We have taken an instrumental role in developing and deploying Intelligent Transportation Systems (ITS) throughout the region. This includes the Advanced Traveler Information System, the 511 Transportation Information Hotline and Consumer Information Network services via the Sun Guide program, and a universal SmartCard for use by transit properties and users throughout southeast Florida.
- We also coordinate a number of planning activities including long-range transportation plans, transit analyses, freight and goods movement, regional modeling, and support of two FDOT District offices concerning the FIHS and SIS. Additionally, we are coordinating initiatives such as the "Transit Bridge" – link between Broward and Miami-Dade systems, provision of feeder services to Tri-Rail, support of the designation of the Atlantic Commerce Corridor, and funding and staff services to the RTO.

Broward, Palm Beach, and Miami-Dade Counties are working with one another and with FDOT and are prepared to achieve even greater coordination in the areas of long range planning, project prioritization, air quality planning and public involvement. We are also committed to developing performance measures to gauge the effectiveness of current and future efforts, providing quarterly reports to partner MPOs, and convening quarterly chair's meetings. Lastly, we are excited about a new collaboration establishing regional land use strategies in cooperation with the Treasure Coast and South Florida Regional Planning Councils.

To reemphasize, the size and complexity of the metropolitan planning area in the southeast Florida region is such that redesignation of the existing individual MPOs is appropriate. As such, the three Boards have passed the enclosed resolutions supporting the redesignation of the three individual MPOs.

Should you have any questions or need additional information, please contact Ms. Jennifer Schaufele at (954)357-6608, Mr. Randy Whitfield at (561)684-4170, or Mr. Jose-Luis Mesa at (305)375-4507.


Sincerely,



Jennifer Schaufele, Director
Broward County MPO



Randy Whitfield, Director
Palm Beach County MPO



Jose-Luis Mesa, Director
Miami-Dade County MPO

CC: Rick Chesser, Secretary, FDOT District IV
Gary Donn, FDOT District VI

Enclosures